



FREDERICK COUNTY PLANNING COMMISSION

January 13, 2010

TITLE: William Henry Owens III and Lynn Marie Owens, Section 1, Lot 2 and Remainder

FILE NUMBER: M-2607 (AP# 11543 and 11813)

REQUEST: Road Adequacy
Modification of road width requirements in accordance with Section 1-16-12(B)(3) of the Subdivision Regulations.

PROJECT INFORMATION:

LOCATION: Located on the east side of Repp Road, between Green Valley Rd and Molasses Road.

ZONE: Agricultural (AG)

REGION: Walkersville

WATER/SEWER: No Planned Service

COMP. PLAN/LAND USE: Agricultural/Rural

APPLICANT/REPRESENTATIVES: (as applicable)

APPLICANT/OWNER: James C. Brown III and Christine L. Brown

ENGINEER: JF Brown III and Assoc.

STAFF: Michael Wilkins, Environmental Principal Planner

RECOMMENDATION: Conditional approval

Enclosures:

Exhibit # 1: Memo from surveyor

Exhibit # 2: Combined Preliminary/Final Plat

Exhibit # 3: Roadway Adequacy Study

Exhibit # 4: Map of area roadways

REPORT

BACKGROUND:

This property has been subject to one previous development application. In 2004, Lot 1 was created around an existing house. The plat for this lot noted that any additional subdivision will require Repp Road to be upgraded to County standards. However, it does appear that the portion of Repp Road south of the site has been upgraded by the County since 2004.

After the recordation of the plat for lot 1, a house was constructed on the remainder. The applicant proposes to subdivide one (1) new lot around this new house.

ANALYSIS:

Minor Subdivision Requirements

Road Width Requirements:

Section 1-16-12(B)(3)(1) of the subdivision regulation states: "The width at all points along the access roads from the site to the nearest collector road(s) must allow for 2 vehicle passability and provide access for emergency response vehicles and school buses, such that 2 opposing vehicles can safely pass. A 16 foot travelway width shall be the normal minimum standard required for 2 vehicle passability. Travelways falling between 14 feet and 16 feet at any point may be reviewed by the Planning Commission on a case-by-case basis to determine whether 2 vehicles can pass safely and emergency vehicles and school buses have access. Travelways less than 14 feet at any point will not be considered adequate. The Planning Commission may use maps, the opinions of County Division of Public Works, planning staff, and site inspection to determine if the access routes to the proposed subdivision are adequate. Minor subdivision may occur on gravel, stabilized or paved surfaces."

Proposed Lot 2 will front on Repp Road. Portions of Repp Road do not meet the Frederick County travelway width requirement for servicing minor subdivisions, as portions of the road fall below 16 feet in width.

The Applicant provided photos and measurements to document the road width. Based on the information provided by the Applicant, Repp Road meets or exceeds the 16 foot minimum width requirement from the site south to Molasses Road. From the site northward towards Green Valley Road, an area not exceeding 1,500 linear feet (0.28 miles) falls below the 16 foot width requirement, but does not fall below the minimum 14 foot threshold for Planning Commission approval.

Emergency Services:

Staff from the Office of Life Safety (OLS) indicates that the emergency services responding to this site will be as follows:

1st Responder:

Carroll County Company 8 –Union Bridge: Arrive at the site from the north, via Green Valley Rd.

2nd Responder:

Libertytown- : Arrive at the site from the south, via Molasses Rd.

OLS Staff notes that in the event of a structure fire, both companies would likely respond. OLS has no objection to the approval of road adequacy for this application.

Direction of Travel:

Both directions of travel to the site appear to be a direct route for emergency services. The Applicant notes that they travel the southern half of Repp Road to access MD 31 via Molasses Road "to go almost anywhere." However, looking at the road network Staff believes that future lot owners could equally utilize the northern half of Repp Road to reach Green Valley Road.

Future Development Along Repp Road:

Staff notes that a house could be constructed on the new remainder parcel, and up to two houses could be constructed on this property if the last subdivision right is utilized and the remainder is split.

All of the property on the west side of Repp Road is zoned Mineral Mining and is unlikely to be developed for residential use. The properties on the east side of Repp Road are zoned Agricultural and have already exhausted their subdivision potential or have very limited subdivision potential.

FINDINGS:

Based upon the discussions in this report, Staff finds that Repp Road does not meet the road adequacy requirements under the Frederick County Code section 1-16-12(B)(3)(1), as portions of the roadway fall below the 16-foot requirement. Per the Code, the FcPc has the authority to determine the adequacy of the 14-22 foot wide road.

Since the inadequate section of Repp Road is only 1,500 linear feet and the potential for additional development on Repp Road is extremely limited, Staff has no objection to conditionally approving this modification request.

RECOMMENDATIONS:

Staff recommends that the FcPc decide if the travel way is adequate to serve the 1 new minor subdivision lot.

If the FcPc determines the travel way is adequate, Staff recommends that the following items be added as conditions to the approval:

1. The Applicant shall comply with all Staff and agency comments through the completion of the plan.
2. The Applicant shall add a note to the plat specifying that the road is adequate to serve this subdivision. The note shall also state the date of the Planning Commission approval.